

CONGRESSIONAL RECORD SUMMARY

Tuesday, April 30, 2002

SENATE

Measures Introduced:

_____ **S. 2395.** *A bill to prevent and punish counterfeiting and copyright piracy, and for other purposes; to the Committee on the Judiciary.*

"...Copyrights mean nothing if government authorities fail to enforce the protections they provide intellectual property owners. The criminal code has not kept up with the counterfeiting operations of today's high-tech pirates, and it's time to make sure that it does. The Anticounterfeiting Amendments of 2002 update and strengthen the Federal criminal code, which currently makes it a crime to traffic in counterfeit labels or copies of certain forms of intellectual property, but not authentication features..."

Biden

Page S 3559, S 3561

S. 2426. *A bill to increase security for United States ports, and for other purposes; to the Committee on Finance.*

Schumer

Page S 3560

Measures Passed:

Senate passed H.R. 3093, to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse," clearing the measure for the President.

Pages S 3576, D 412

Senate passed H.R. 3282, to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the "Mike Mansfield Federal Building and United States Courthouse," clearing the measure for the President.

Pages S 3576, D 412

Senate passed S. 1721, to designate the building located at 1 Federal Plaza in New York, New York, as the "James L. Watson United States Courthouse," after agreeing to committee amendments.

Pages S 3577, D 412

Nominations Confirmed:

Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. Ex. 98), Michael M. Baylson, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Pages S 3522-30, S 3578, D 412

By unanimous vote of 98 yeas (Vote No. Ex. 99), Cynthia M. Rufe, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Pages S 3522-30, S 3578, D 412

Nominations Confirmed (Cont'd):

"...I have also been here with six Presidents. I have had the same position with Republican Presidents and Democratic Presidents. I will not vote for anybody who is going to diminish the independence of the Federal judiciary. [] They complain that we have not done 24 months of work in the fewer than 10 months we have been in the majority. [] Ironically, with today's confirmations, we even meet that unfair standard: Within the last 10 months we have confirmed about as many judges--52--as were confirmed by the Republican majority in the entire 1996 congressional session and in all of 1997 combined. We are now meeting their two-year figures in less than 10 months. Oh, and if you were wondering about Court of Appeals judges confirmed in the 1996 and 1997 sessions combined--their total was 7. We have already confirmed 9 in fewer than 10 months..." (Leahy, Page S 3523)

"...I do believe there have been failures on both sides, by both parties. I think the time has come to move beyond recrimination and to try to establish a protocol. Hopefully this protocol will provide for a certain number of days after a nomination has been submitted to be accorded a hearing, so many days later for a markup in an executive session, so many days later to be considered by the full Senate. Delays could occur at the discretion of the chairman of the committee, after consultation with the ranking member--not the concurrence of the ranking member but the consultation--similarly with the majority leader, with consultation with the minority leader..." (Specter, Pages S 3527-28)

Executive Communications:

EC-6634. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the 2000 Annual Report of the National Institution of Justice (NIJ); to the Committee on the Judiciary.

EC-6635. A communication from the Acting Attorney General, Department of Justice, transmitting, pursuant to law, a report relative to the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

EC-6636. *A communication from the Chief Justice of the Supreme Court of the United States, transmitting, amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.*

EC-6637. *A communication from the Chief Justice of the Supreme Court of the United States, transmitting, amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.*

EC-6638. *A communication from the Chief Justice of the Supreme Court of the United States, transmitting, amendments to the Federal Rules of Appellate Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.*

EC-6639. *A communication from the Chief Justice of the Supreme Court of the United States, transmitting, amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.*

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Committee Meetings:

Committee on Appropriations: Committee held hearings to examine *homeland security funding issues* and proposed legislation making supplemental appropriations for homeland security and the war on

terrorism for the fiscal year ending September 30, 2002. Hearings continue on Thursday, May 2, 2002.

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HOUSE

Bills Introduced:

H.R. 4623. A bill to prevent trafficking in child pornography and obscenity, to proscribe pandering and solicitation relating to visual depictions of minors engaging in sexually explicit conduct, to prevent the use of child pornography and obscenity to facilitate crimes against children, and for other purposes; to the Committee on the Judiciary.

Smith

Page H 1769

H.R. 169 - Notification and Federal Employee Antidiscrimination and Retaliation Act:

House agreed to suspend the rules and pass the following measures:

Notification and Federal Employee Antidiscrimination and Retaliation Act: Agreed to the Senate amendments to H.R. 169, to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws--clearing the measure for the President (agreed to by a yea-and-nay vote of 412 yeas with none voting "nay," Roll No. 117).

"... The problem in the Federal workforce is threefold. First, because of inadequate notification requirements, many employees are not aware of their rights and many managers are not aware of their responsibilities. Second, Federal agencies and Congress cannot assess the extent of the problem due to inadequate reporting. Third, Federal agencies are not accountable for the misdeeds of their employees, because they simply tap the general Treasury to pay for court judgments and settlements in discrimination cases. The No FEAR Act targets these 3 problems. The bill will require agencies to pay for all court settlements and judgments for discrimination and retaliation cases, instead of allowing the agency to use a government-wide slush fund. This will make agencies more accountable..." (Sensenbrenner, Page H 1693)

Intention To Offer Motion To Instruct Conferees--DOJ Authorization Act:

Representative DeGette announced her intention to offer a motion to instruct conferees on **H.R. 2215**, *21st Century Department of Justice Appropriations Authorization Act*, to agree to title IV of the Senate amendment (establishing A Violence Against Women Office); and insist upon section 2003 of the *Omnibus Crime Control and Safe Streets Act of 1968*, as added by section 402 of the House bill (establishing duties and functions of the director of the Violence Against Women Office).

Pages H 1747, D 415

Executive Communications:

EC-6507. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule--*Absence and Leave; Use of Restored Annual Leave* (**RIN: 3206-AJ51**) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

Executive Communications (Cont'd):

EC-6508. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule--*Basic Pay for Employees of Temporary Organizations* (**RIN: 3206-AJ47**) received April 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

EC-6509. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule--*Placement Assistance and Reduction in Force Notices* (**RIN: 3206-AJ18**) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

EC-6510. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule--*Federal Employment Priority Consideration Program for Displaced Employees of the District of Columbia Department of Corrections* (**RIN: 3206-AI28**) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

EC-6516. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule--*Release of Information Regarding Immigration and Naturalization Service Detainees in Non- Federal Facilities* [**INS No. 2203-02**] (**RIN: 1115-AG67**) received April 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

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Committee Meetings for Wednesday, May 1, 2002:

Committee on Energy and Commerce: @ 10:00 a.m. Subcommittee on Oversight and Investigations, hearing titled "*Oversight and Management of the Government Purchase Card Program: Reviewing Its Weaknesses and Identifying Solutions.*" 2322 Rayburn.

Committee on the Judiciary: @ 10:00 a.m. Subcommittee on Commercial and Administrative Law, hearing on **H.R. 4561**, *Federal Agency Protection of Privacy Act*. 2141 Rayburn.

Committee on the Judiciary: @ 2:00 p.m. Subcommittee on Crime, Terrorism and Homeland Security, oversight hearing on "*Enhancing Child Protection Laws After the April 16, 2002 Supreme Court Decision, Ashcroft v. Free Speech Coalition.*" 2141 Rayburn.

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Remark:

Notification and Federal Employee Antidiscrimination and Retaliation Act of 2001. (H.R. 169)

"... The problem in the Federal workforce is threefold. First, because of inadequate notification requirements, many employees are not aware of their rights and many managers are not aware of their responsibilities. Second, Federal agencies and Congress cannot assess the extent of the problem due to inadequate reporting. Third, Federal agencies are not accountable for the misdeeds of their employees, because they simply tap the general Treasury to pay for court judgments and settlements in discrimination cases. The No FEAR Act targets these 3 problems. The bill will require agencies to pay for all court settlements and judgments for discrimination and retaliation cases, instead of allowing the agency to use a government-wide slush fund. This will make agencies more accountable..."

Sensenbrenner

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Next SENATE MEETING: Wednesday, 9:30 a.m., May 1, 2002.

Next HOUSE MEETING: Wednesday, 10:00 a.m., May 1, 2002.

OLA: S. Schwarz, A. Santos